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■

PLASTICS AND SYNTHETICS POINT SOURCE CATEGORY

Effluent Guidelines and Standards

Title 40—Protection of the Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

PART 416—PLASTICS AND SYNTHETICS POINT SOURCE CATEGORY

On October 11, 1973, notice was published in the FEDERAL REGISTER (38 FR 28194), that the Environmental Protection Agency (EPA or Agency) was proposing effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources within the polyvinyl chloride subcategory, polyvinyl acetate subcategory, polystyrene subcategory, polypropylene subcategory, polyethylene subcategory, cellophane subcategory, rayon subcategory, acrylonitrile-butadiene-styrene (ABS) and styrene-acrylonitrile (SAN) resin copolymers subcategory, polyester subcategory, nylon 66 subcategory, nylon 6 subcategory, cellulose acetate subcategory, epoxy resins subcategory, phenolic resins subcategory, melamine resins subcategory, urea resins subcategory, and acrylics subcategory of the plastics and synthetics category of point sources.

The purpose of this notice is to establish final effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources in the polyvinyl chloride subcategory, polyvinyl acetate subcategory, polystyrene subcategory, polypropylene subcategory, polyethylene subcategory, cellophane subcategory, rayon subcategory, acrylonitrile - butadiene-styrene (ABS) and styrene-acrylonitrile (SAN) resin copolymers subcategory, polyester subcategory, nylon 66 subcategory, nylon 6 subcategory, cellulose acetate subcategory, and acrylics subcategory of the plastics and synthetics category of point sources, by amending 40 CFR Chapter I, Subchapter N, to add a new Part 416. This final rulemaking is promulgated pursuant to sections 301, 304 (b) and (c), 306 (b) and (c) and 307(c) of the Federal Water Pollution Control Act, as amended, (the Act); 33 U.S.C. 1251, 1311, 1314(b) and (c), 1316 (b) and (c) and 1317(c); 86 Stat. 816 et seq.; Pub. L. 92–500. Regulations regarding cooling water intake structures for all categories of point sources under section 316(b) of the Act will be promulgated in 40 CFR Part 402.

In addition, the EPA is simultaneously proposing a separate provision which appears in the proposed rules section of the FEDERAL REGISTER, stating the application of the limitations and standards set forth below to users of publicly owned treatment works which are subject to pretreatment standards under section 307(b) of the Act. The basis of that proposed regulation is set forth in the associated notice of proposed rulemaking.

The legal basis, methodology and factual conclusions which support promulgation of this regulation were set forth in substantial detail in the notice of public review procedures published August 6, 1973 (38 FR 21202) and in the notice of proposed rulemaking for the polyvinyl chloride subcategory, polyvinyl acetate subcategory, polystyrene subcategory, polypropylene subcategory, polyethylene subcategory, cellophane subcategory, rayon subcategory, acrylonitrile-butadiene-styrene (ABS) and styrene-acrylonitrile (SAN) resin copolymers subcategory, polyester subcategory, nylon 66 subcategory, nylon 6 subcategory, cellulose acetate subcategory, and acrylics subcategory. In addition, the regulations as proposed were supported by two other documents: (1) The document entitled "Development Document for Proposed Effluent Limitations Guidelines and New Source Performance Standards for the Synthetic Resins Segment of the Plastics and Synthetic Materials Manufacturing Point Source Category" (August 1973) and (2) the document entitled "Economic Analysis of Proposed Effluent Guidelines, Plastics and Synthetics Industry" (September 1973). Both of these documents were made available to the public and circulated to interested persons at approximately the time of publication of the notice of proposed rulemaking.

Interested persons were invited to participate in the rulemaking by submitting written comments within 30 days from the date of publication. Prior public participation in the form of solicited comments and responses from the States, Federal agencies, and other interested parties were described in the preamble to the proposed regulation. The EPA has considered carefully all of the comments received and a discussion of these comments with the Agency's response thereto follows. The regulation as promulgated contains some significant departures from the proposed regulation. The following discussion outlines the reasons why these changes were made and why other suggested changes were not made.

(a) *Summary of major comments.* The following responded to the request for written comments which was contained in the preamble to the proposed regulation: Office of the Secretary of the Treasury; U.S. Department of Health, Education and Welfare; Manufacturing Chemists Association; Colorado Department of Public Health; Reichhold Chemicals, Inc.; B. F. Goodrich Chemical Company; Gulf Oil Company; Ecosystems Management; The Environmental Committee of the Northeastern New York Section American Institute of Chemical Engineers; Phillips Petroleum Company; Water Pollution Control Federation; Exxon Chemical Company; Shell Oil Company; Akzona Incorporated; Fiber Industries Incorporated; U.S. Department of Commerce; Union Carbide Corporation; Rohm and Haas Company; Corn Refiners Association, Incorporated; Diamond Shamrock Chemical Company; Monsanto Textiles Company; Monsanto Polymers & Petrochemicals Company; E. I. DuPont de Nemours & Company; Shell Chemical Company; Monsanto Company; U.S. Industrial Chemicals Company; FMC Corporation; Celanese Corporation; Borg Warner Chemicals; Bordon Incorporated; State of New York Department of Environmental Conservation; and Tenneco Chemicals, Incorporated. The following is a summary of the significant comments and the Agency's response to those comments.

(1) Some commenters requested that Chemical Oxygen Demand (COD) should not be used as a parameter for BPCTCA and BADT (best available demonstrated technology for new source performance standards) since the technology proposed is Biochemical Oxygen Demand (BOD5) removal oriented.

For BPCTCA, the COD parameter was recognized as being removed only as a consequence of BOD5 removal. The COD daily and monthly limitations reflect COD removal which occurs with BOD5 removal. The COD/BOD5 ratios were set higher (less stringent) than determined from the available data (Development Document section IX, pages 188–190). The COD limits are therefore liberal and are not meant to be a technology controlling parameter but only to assure the treatment of COD wastes. For BADT, the COD parameter in the proposed regulation did in most cases control the technology design instead of BOD5. The COD basis for BADT has been adjusted such that BOD5 is now the technology controlling parameter (Development Document section XI, page 199).

(2) Some commenters stated that the 100 mg/l basis for COD in BATEA is arbitrary as no performance data for COD removal is presented for each of the subcategories using activated carbon technology.

COD levels for BATEA were based on an estimate of 100 ppm. Several products subcategories achieve this level after biological treatment. Other product subcategories have achieved this level in laboratory tests (Development Document section VII, pages 104–107, reference 78). One product (polyester) was demonstrated in a pilot plant and reached an average of 120–130 ppm, COD (Development Document reference 77). For some product subcategories laboratory test data was not available, so estimates were established on the basis of engineering judgment. BATEA is a requirement for 1983 which is subject to change as information develops and at the present time can be based on best engineering estimates and transfer of technology from similar industrial processes. The COD, BATEA concentration basis was changed to reflect the demonstrated pilot plant data base of 130 ppm (Development Document section X, page 197).

(3) A commenter pointed out that phenol removal based on 0.5 mg/l will require a phenol extraction system. The Development Document states that the above has been demonstrated but does not reference it directly for the products in question. Furthermore, no Raw Waste Loads were given and "The degree of effluent reduction attainable" is not defined as required by 304(b). Therefore, the commenter requested that these levels be withdrawn.

Phenol removal has been demonstrated by various methods from other industries

including phenolic resins, iron and steel, pesticides and others (Development Document section VII, pages 104–111, section IX, page 190, references 18, 19, 47, 56, 75, 76, 78). The degree of effluent reduction attainable can be defined as an attainable effluent concentration as well as a percent reduction.

(4) Some correspondents endorsed the proposal made to the Administrator by the Effluent Standards and Water Quality Information Advisory Committee that a significantly different aproach be taken in the development of effluent guidelines generally.

The above mentioned proposals are under evaluation as a contribution toward future refinements on guidelines for some industries. The committee has indicated that their proposed methodology could not be developed in sufficient time to be available for the current phase of guideline promulgation, which is proceeding according to a court-ordered schedule. Its present state of development does not provide sufficient evidence to warrant the Agency's delaying issuance of any standard in hopes that an alternative approach might be preferable.

(5) Some commenters suggested that the BPCTCA suspended solids limitations should be based on the individual product subcategory averages that were observed during the study and the variability factor calculation for suspended solids should be based on suspended solids data and not BOD5 data.

The suspended solids limitations for BPCTCA were based on a 30 ppm average since many plants in the industry achieve this average and in many cases of the data presented, settling aids, coagulants and other chemical treatments for the reduction of suspended solids were not in practice. The 95 ppm suspended solids for HDPE was a typographical error. The correct data is 25 ppm suspended solids (Development Document tables 12, 18, 19, 20, 21). The statistical variability was determined using variability from BOD5 data. By applying the statistics to suspended solids data from 5 plants the variability factors of 2.2 and 4.0 were calculated and the proper adjustments were made (Development Document section IX, page 193).

(6) Several commenters recommended that the effluent limitations and guidelines should be expressed as a range of values with allowances for variation.

The present guidelines take differences within an industry into account through subcategorization, rather than by use of ranges of numbers to be varied at the discretion of the office issuing permits. The 28 industries noted in section 306 of the Act, for example, have already broken some of the broad industrial groups into subgroups such as the chemical industry into inorganic chemicals, organic chemicals, plastics and synthetics, petrochemicals, soaps and detergents, fertilizers and rubber. The plastics and synthetics industry has been further broken into 13 initial subcategories with 27 sets of limitations. In addition, a second phase of guideline issuance will establish further subcategories. The plastics and synthetics industry will have approximately 16 additional subcategories in Phase II studies.

(7) Several commenters suggested that suspended solids should not have to be reduced to much less than the receiving body level when the suspended solids in the receiving body is due to natural conditions.

The guidelines and standards are based on technology and not on water quality requirements as required by sections 301 and 304 of the Act.

(8) A commenter claimed that their exemplary plant does not always meet BOD5 guidelines for BPCTCA even though removing 95–99 percent *BOD5*.

The variability factors for major subcategory I products were based on the commenter's plant which was the best plant available for this purpose. Data from several other plants were examined, variability factors were calculated and averaged, and appropriate changes have been made to the regulations. The variability base for daily limitations was changed from two standard deviations to three standard deviations for all parameters in BPCTCA and BADT (Development Document section IX, page 193).

(9) Some commenters observed that monthly limits for BOD5, COD and TSS for BATEA and BADT are based on the long term average concentration without allowance for statistical variation.

The monthly limits for BOD5, COD, and TSS for BATEA and BADT were based on the long term average concentration. Since there was not enough performance data on physical chemical systems to establish the system variability factors, the factors for BOD5 and COD should be the same as for BPCTCA and the factors for TSS, which is based on multi-media filtration, can be based on performance data obtained from multimedia filters used in the petroleum refining industry. These adjustments were made.

(10) A commenter stated that polishing lagoons should not be required as BPCTCA because land requirements impose limitations. They suggested that BPCTCA guidelines be based on capability of activated sludge treatment with incremental removal of pollutants. Companies which do not have enough land for polishing lagoons would be forced to advanced (BATEA) treatment methods, thus increasing economic impact.

Polishing lagoons are not required for BPCTCA. They are an acceptable alternative, when land is available, to settling tanks, clarifiers, etc.

(11) Several commenters stated that there was inadequate coverage of the epoxy resins, phenolic resins, urea resins and melamine resins subcategories.

In the above subcategories, additional information is being gathered. Changes will be made as new information is obtained and will be proposed as part of the phase II effort. These four subcategories will not be promulgated as regulations at this time.

(12) Several commenters suggested that the cost figures are from 2 to 5 times too low.

The cost figures developed for the plastics and synthetics industry were based essentially on data supplied to the Agency by the industry. In the absence of contrary data, it must be considered accurate (Development Document, reference 76).

(13) Several commenters claimed that the reduction of flow basis of 50 percent is too restrictive, arbitrary, not attainable, not substantiated, and not practical for BATEA and BADT.

The flow basis was based on the range of reported data. However, all of the reported data was not identified as to the primary source for the lowest ranges of waste water flow. The waste water flow basis was reviewed and adjustments were based on identified waste water data only (Development Document, tables 14, 19, 20, 38, 40C, reference 76).

(14) Several commenters suggested that a permit applicant should have the opportunity to demonstrate why he cannot achieve the effluent limitations which EPA seeks to impose with the burden of proof lying with the applicant.

Appropriate procedures to deal with such situations are fully described in the regulations under §§ 416.12, 416.22, 416.32, 416.42, 416.52, 416.62, 416.72, 416.82, 416.92, 416.102, 416.112, 416.122, and 416.132.

(15) A commenter stated that the Nylon 6 exemplary plant achieved an effluent of 65 mg/l BOD5 yet it placed in the 45 mg/l BOD5 achievable effluent major subcategory. It was suggested that Nylon 6 should be placed in the 75 mg/l BOD5 major subcategory.

During the period that data was taken from that plant, the hydraulic and BOD5 loads were above the design capacity. Individual data points during this period (when the treatment plant was running at design capacity) show effluent levels well below 45 mg/l (Development Document, tables 19, 20, reference 76).

(16) For high density polyethylene manufacture a commenter recommended that the BPCTCA guidelines be 0.57 kg/kkg (daily maximum) and 0.41 kg/kkg 30 (30/day maximum) for BOD5 and 0.95 kg/kkg (daily maximum) and 0.67 kg/kkg (30/day maximum) for TSS. The commenter presented no data to support his numbers.

EPA data supports the proposed guidelines for high density polyethylene with the changes as listed below and does not support the commenter's numbers (Development Document, tables 12, 14, 18, 21, reference 76).

(17) A commenter stated that for

(17) A commenter stated that for acrylics, the exemplary facility did not operate within BOD5 and TSS values shown.

The acrylic plant which was visited was designed to achieve the reported figures (85 percent reduction) and not designed for maximum attainable removal. The proposed limits for this industry are based on multi-stage biological treatment as per the Agency's best engineering judgment and are reasonable and considered achievable (Development Document section VII, pages 96–98, section IX, page 188, reference 76).

(18) A commenter suggested that temperature was not taken into consideration in setting BOD5 standards and that there should be winter and summer limitations.

Temperature was considered by the variability factors, which have taken into account the day-to-day variability and the month to month variability under seasonal conditions in a northern climate (Development Document section IX, page 191).

(19) A commenter suggested that other auxiliary sources of wasteload such as sample taps, plant washdowns, etc., should be included as other load sources.

Nonprocess waste water sources such as these were included in the data base and therefore the waste load allocation for each product subcategory (Development Document tables 14, 38 reference 76).

(20) A commenter stated that for polystyrene, data from multiple product plants is not a basis for assuming wastes can be treated to BOD5 of 15 mg/l and TSS of 30 mg/l. It was suggested that no data on bulk polymerization was given in the Development Document.

The data obtained from the multiproduct plant, which is shown in the Development Document under section VII, indicates that the above levels are attainable. The bulk polymerization plant visited had the equivalent of zero process discharge with only housekeeping water discharged (Development Document reference 76).

(21) A commenter stated that for PVC, the plants with 10 and 65 mg/l BOD5 and 38 mg/l TSS vary substantially and cannot adquately support the limit based on BOD5 at 15 ppm and TSS at 30 ppm.

The plant with the 10 mg/l BOD5 was considered exemplary for PVC. As the data on both plants (Development Document tables 19, 20) clearly indicate, the 65 mg/l BOD5 plant is not designed to reach the lower BOD5 values.

(22) A commenter stated that for low density polyethylene, the attainable levels are reached only with a two stage biological system and polishing ponds and this goes beyond BPCTCA.

The above technologies are all considered as part of BPCTCA (Development Document section IX, page 187).

(23) Several commenters stated that the chemical precipitation techniques set for TCr removal are not practiced and economic benefits were questioned. Alternate corrosion prevention systems are nearly as effective.

There are several cases in the data base where the TCr removal technology is practiced (Development Document section VII, page 108, references 47, 76).

(24) A commenter stated that complex plants (manufacturers of more than one product) must be permitted on an individual basis.

Guidelines for such plants will be forthcoming in the Phase II guidelines.

(25) A commenter stated that operating plant data and other literature data does not demonstrate that values of 4 mg/l and 5 mg/l zinc are achievable in rayon manufacture.

In fact, the data demonstrate that under careful control lower numbers than 4 or 5 ppm are achievable. This is backed up also by data from another plant with similar zinc concentrations in their waste as well as the EPA zinc removal from rayon wastes demonstration project (Development Document section VII, page 108, section IX, page 194, references 47, 65, 76).

(26) A commenter stated that the 24 mg/l BOD5 level for the rayon subcategory (Development Document tables 12, 18) has no clear basis and the only exemplary plant has an untested capacity of 30 mg/l. The commenter stated that categorization of the rayon industry based capacity for attaining 20 mg/l BOD5 concentration is a fundamental misconception. They argued that the data does not support the 20 mg/l figure and is not achievable for BPCTCA.

Data from a multi-product plant that treats only a partial stream from that plant indicates the 24 mg/l is attainable. The rayon industry to date has not operated plants in modes capable of attaining these values. The zinc must be removed prior to biological treatment and has been demonstrated in another product subcategory (Development Document reference 76).

(27) Several commenters stated that allowances should be made for storm water runoff.

If storm water is required to be collected and treated by the state or local agency then allowances should be made for storm water by such agency.

(28) One commenter agrees that the guidelines as presented are a practical approach, but argued that the upper limits proposed could have a catastrophic effect on certain bodies of water.

If water quality standards require more stringent limitations than the guidelines, such limitations will be imposed pursuant to section 302 of the Act.

(29) Several commenters agreed that (1) the end-of-pipe treatments are generally available; (2) the four major groupings based on raw waste loadings and treatment characteristics are a valid approach, and (3) subgrouping by product and process is appropriate.

(30) A commenter was concerned that the proposed new source performance standards are not related to health effects. Health effects are considered in the selection of pollution parameters; however, sections 304 and 306 of the Act require that the standards be based on technology.

(b) *Revision of the proposed regulation prior to promulgation.* As a result of public comment and continuing review and evaluation of the proposed regulation by EPA, the following changes have been made in the regulation.

(1) The chemical oxygen demand (COD) basis for BATEA was changed from 100 mg/l to 130 mg/l based on an activated carbon pilot plant demonstration project. Where COD levels of less than 130 mg/l were demonstrated using biological treatment, the demonstrated values were used.

(2) The chemical oxygen demand (COD) for BADT was changed from a COD/BOD5 ratio basis to a COD concentration as demonstrated by biological treatment systems.

(3) The total suspended solids limitations for BPCTCA were changed based on the average variability factors calculated from the data base.

(4) The BOD5 limitations for BPCTCA were adjusted for major subcategory I to reflect the average of several variability factors.

(5) The waste water flow basis for BADT and BATEA was adjusted to reflect only identified waste water flow data.

(6) The variability factors for BATEA and BADT were changed to reflect the data base for BPCTCA variability for BOD5 and COD and multi-media filter data for TSS.

(7) The epoxy resins subcategory, phenolic resins subcategory, urea resins subcategory, and melamine resins subcategory are to be proposed and promulgated with the Phase II guidelines.

(8) The BOD5 concentration basis for BATEA and BADT for major subcategories III and IV was adjusted to reflect best demonstrated BOD5 removal from multi-stage biological systems.

(9) The variability basis for daily limitations was changed from two standard deviations to three standard deviations for BPCTCA and BADT, to minimize the number of possible technical violations.

(10) The pH parameter has been added. The Agency intended in the proposed regulations to control pH as a consequence of BPCTCA, BATEA, and BADT since pH control is an integral part of these technologies. The range of control is now specifically identified.

(11) Section 304(b)(1)(B) of the Act provides for "guidelines" to implement the uniform national standards of section 301(b)(1)(A). Thus Congress recognized that some flexibility was necessary in order to take into account the complexity of the industrial world with respect to the practicability of pollution control technology. In conformity with the Congressional intent and in recognition of the possible failure of these regulations to account for all factors bearing on the practicability of control technology, it was concluded that some provision was needed to authorize flexibility in the strict application of the limitations contained in the regulation where required by special circumstances applicable to individual dischargers. Accordingly, a provision allowing flexibility in the application of the limitations representing best practicable control technology currently available has been added to each subpart, to account for special circumstances that may not have been adequately accounted for when these regulations were developed.

(c) *Economic impact.* The changes that were made to the proposed regulations for the plastics and synthetics manufacturing category do not substantially affect the initial economic analysis. The changes detailed above re-

sult in the guidelines and standards being less stringent. These revisions, however, do not affect the conclusions of the economic impact study. Any changes in the economic impact would tend to make the economic impact less severe.

(d) *Cost-benefit analysis.* The detrimental effects of the constituents of waste waters now discharged by point sources within the synthetic resins segment of the plastics and synthetics manufacturing point source category are discussed in section VI of the report entitled "Development Document for Effluent Limitations Guidelines for the Synthetic Resins Manufacturing Segment of the Plastics and Synthetics Point Source Category" (August 1973). It is not feasible to quantify in economic terms, particularly on a national basis, the costs resulting from the discharge of these pollutants to our Nation's waterways. Nevertheless, as indicated in section VI, the pollutants discharged have substantial and damaging impacts on the quality of water and therefore on its capacity to support healthy populations of wildlife, fish and other aquatic wildlife and on its suitability for industrial, recreational and drinking water supply uses.

The total cost of implementing the effluent limitations guidelines includes the direct capital and operating costs of the pollution control technology employed to achieve compliance and the indirect economic and environmental costs identified in section VIII and in the supplementary report entitled "Economic Analysis of Proposed Effluent Guidelines Plastics and Synthetics Industry" (September 1973). Implementing the effluent limitations guidelines will substantially reduce the environmental harm which would otherwise be attributable to the continued discharge of polluted waste waters from existing and newly constructed plants in the plastics and synthetics industry. The Agency believes that the benefits of thus reducing the pollutants discharged justify the associated costs which, though substantial in absolute terms, represent a relatively small percentage of the total capital investment in the industry.

(e) *Solid waste control.* Solid waste control must be considered. The waterborne wastes from the plastics and synthetics industry may contain a considerable volume of metals in various forms as a part of the suspended solids pollutant. Best practicable control technology and best available control technology as they are known today, require disposal of the pollutants removed from waste waters in this industry in the form of solid wastes and liquid concentrates. In some cases these are nonhazardous substances requiring only minimal custodial care. However, some constituents may be hazardous and may require special consideration. In order to ensure long term protection of the environment from these hazardous or harmful constituents, special consideration of disposal sites must be made. All landfill sites where such hazardous wastes are disposed should be selected so as to prevent horizontal and vertical migration of these contaminants to ground or surface waters. In cases where geologic conditions may not reasonably ensure this, adequate precautions (e.g., impervious liners) should be taken to ensure long term protection to the environment from hazardous materials. Where appropriate the location of solid hazardous materials disposal sites should be permanently recorded in the appropriate office of the legal jurisdiction in which the site is located.

(f) Publication of information on processes, procedures, or operating methods which result in the elimination or reduction of the discharge of pollutants.

In conformance with the requirements of section 304(c) of the Act, a manual entitled, "Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Synthetic Resins Manufacturing Segment of the Plastics and Synthetics Point Source Category," has been published and is available for purchase from the Government Printing Office, Washington, D.C., 20401 for a nominal fee.

(g) *Final rulemaking.* In consideration of the foregoing, 40 CFR Chapter I, Subchapter N is hereby amended by adding a new Part 416, Plastics and Synthetics Manufacturing Point Source Category, to read as set forth below. This final regulation is promulgated as set forth below and shall be effective June 4, 1974.

Dated: March 26, 1974.

JOHN QUARLES,
Acting Administrator.

Subpart A—Polyvinyl Chloride Subcategory

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416.10 Applicability; description of the polyvinyl chloride subcategory.
416.11 Specialized definitions.
416.12 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
416.13 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
416.14 [Reserved]
416.15 Standards of performance for new sources.
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Subpart B—Polyvinyl Acetate Subcategory

416.20 Applicability; description of the polyvinyl acetate subcategory.
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416.22 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
416.23 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
416.24 [Reserved]
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416.26 Pretreatment standards for new sources.

Subpart C—Polystyrene Subcategory

416.30 Applicability; description of the polystyrene subcategory.
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416.33 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
416.34 [Reserved]
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Subpart D—Polypropylene Subcategory

416.40 Applicability; description of the polypropylene subcategory.
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416.44 [Reserved]
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Subpart E—Polyethylene Subcategory

416.50 Applicability; description of the polyethylene subcategory.
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416.52 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
416.53 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
416.54 [Reserved]
416.55 Standards of performance for new sources.
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Subpart F—Cellophane Subcategory

416.60 Applicability; description of the cellophane subcategory.
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416.63 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
416.64 [Reserved]
416.65 Standards of performance for new sources.
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Subpart G—Rayon Subcategory

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416.73 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
416.74 [Reserved]
416.75 Standards of performance for new sources.
416.76 Pretreatment standards for new sources.

Subpart H—Acrylonitrile-Butadiene-Styrene (ABS) and Styrene-Acrylonitrile (SAN) Resin Copolymers Subcategory

416.80 Applicability; description of the acrylonitrile - butadiene - styrene (ABS) and styrene-acrylonitrile (SAN) resin copolymer subcategory.
416.81 Specialized definitions.
416.82 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
416.83 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically available.
416.84 [Reserved]
416.85 Standards of performance for new sources.
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Subpart I—Polyester Subcategory

416.90 Applicability; description of the polyester subcategory.
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416.92 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
416.93 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
416.94 [Reserved]
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416.103 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
416.104 [Reserved]
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416.112 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
416.113 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
416.114 [Reserved]
416.115 Standards of performance for new sources.
416.116 Pretreatment standards for new sources.

Subpart L—Cellulose Acetate Subcategory

416.120 Applicability; description of the cellulose acetate subcategory.
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416.122 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
416.123 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
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Subpart M—Acrylics Subcategory

416.130 Applicability; description of the acrylics subcategory.
416.131 Specialized definitions.
416.132 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
416.133 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
416.134 [Reserved]
416.135 Standards of performance for new sources.
416.136 Pretreatment standards for new sources.

AUTHORITY: Secs. 301, 304 (b) and (c), 306 (b) and (c) and 307(c) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, 1311, 1314 (b) and (c), 1316 (b) and (c) and 1317(c)); 86 Stat. 816 et seq.; Pub. L. 92-500.

Subpart A—Polyvinyl Chloride Subcategory

§ 416.10 Applicability; description of the polyvinyl chloride subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization reaction of vinyl chloride by bulk polymerization, or suspension polymerization, or emulsion polymerization and associated processing to manufacture polyvinyl chloride.

§ 416.11 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 416.12 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations established the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of polyvinyl chloride by the suspension polymerization process by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.70	0.36
COD	7.0	3.6
TSS	1.8	.99
pH	Within the range 6.0 to 9.0	
	English units (pounds per 1,000 lb of product)	
BOD5	0.70	0.36
COD	7.0	3.6
TSS	1.8	.99
pH	Within the range 6.0 to 9.0.	

(b) The following limitations established the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyvinyl chloride by the emulsion polymerization process by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.26	0.13
COD	2.6	1.3
TSS	.65	.36
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.26	0.13
COD	2.6	1.3
TSS	.65	.36
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyvinyl chloride by the bulk polymerization process by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.12	0.06
COD	1.2	.60
TSS	.29	.16
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.12	0.06
COD	1.2	.60
TSS	.29	.16
pH	Within the range 6.0 to 9.0.	

§ 416.13 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyvinyl chloride by the suspension polymerization process by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.41	0.28
COD	1.92	1.28
TSS	.23	.19
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.41	0.28
COD	1.92	1.28
TSS	.23	.19
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyvinyl chloride by the emulsion polymerization process by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.20	0.13
COD	.92	.61
TSS	.11	.092
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.20	0.13
COD	.92	.61
TSS	.11	.092
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyvinyl chloride by the bulk polymerization process by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.09	0.06
COD	.42	.28
TSS	.05	.042
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.09	0.06
COD	.42	.28
TSS	.05	.042
pH	Within the range 6.0 to 9.0.	

§ 416.14 [Reserved]

§ 416.15 Standards of performance for new sources.

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyvinyl chloride by the suspension polymerization process by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.37	0.19
COD	1.70	.89
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.37	0.19
COD	1.70	.80
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyvinyl chloride by the emulsion polymerization process by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.26	0.13
COD	1.20	.61
TSS	.14	.092
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.26	0.13
COD	1.20	.61
TSS	.14	.092
pH	Within the range 6.0 to 9.0.	

(c) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyvinyl chloride by the bulk polymerization process by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.12	0.06
COD	.54	.28
TSS	.06	.042
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.12	0.06
COD	.54	.28
TSS	.06	.042
pH	Within the range 6.0 to 9.0.	

§ 416.16 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the polyvinyl chloride subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.15: Provided, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart B—Polyvinyl Acetate Subcategory

§ 416.20 Applicability; description of the polyvinyl acetate subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization of vinyl acetate and associated processing to manufacture polyvinyl acetate.

§ 416.21 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 416.22 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric (units kilograms per 1,000 kg of product)	
BOD5	0.39	0.20
COD	3.9	2.0
TSS	1.0	.55
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.39	0.20
COD	3.9	2.0
TSS	1.0	.55
pH	Within the range 6.0 to 9.0.	

§ 416.23 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.29	0.19
COD	1.33	.89
TSS	.16	.14
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.29	0.19
COD	1.33	.89
TSS	.16	.14
pH	Within the range 6.0 to 9.0.	

§ 416.24 [Reserved]

§ 416.25 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.35	0.18
COD	1.6	.84
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.35	0.18
COD	1.6	.84
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	

§ 416.26 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the polyvinyl acetate subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.25: Provided, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no dis-

charge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart C—Polystyrene Subcategory

§ 416.30 Applicability; description of the polystyrene subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization reaction of styrene by suspension polymerization or by bulk polymerization and associated processing to manufacture polystyrene.

§ 416.31 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 416.32 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polystyrene by the suspension polymerization process by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.4	0.22
COD	4.3	2.20
Total chromium	.0046	.0023
TSS	1.1	.61
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.43	0.22
COD	4.3	2.20
Total chromium	.0046	.0023
TSS	1.1	.61
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polystyrene by bulk polymerization process by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.08	0.04
COD	.80	.40
TSS	.20	.11
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb. of product)	
BOD5	0.08	0.04
COD	.80	.40
TSS	.20	.11
pH	Within the range 6.0 to 9.0.	

§ 416.33 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) The following limitations establish the quantity or quality of pollutants or pollutants properties, controlled by this paragraph, which may be discharged from the manufacture of polystyrene by the suspension polymerization process by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.33	0.22
COD	1.55	1.03
Total chromium	.0046	.0023
TSS	.18	.16
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.33	0.22
COD	1.55	1.03
Total chromium	.0046	.0023
TSS	.18	.18
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polystyrene by the bulk polymerization process by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.06	0.04
COD	.29	.19
TSS	.033	.028
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.06	0.04
COD	.29	.19
TSS	.033	.028
pH	Within the range 6.0 to 9.0.	

§ 416.34 [Reserved]

§ 416.35 Standards of performance for new sources.

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polystyrene by the suspension polymerization process by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.43	0.22
COD	2.0	1.03
Total chromium	.0046	.0023
TSS	.24	.16
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.43	0.22
COD	2.0	1.03
Total chromium	.0046	.0023
TSS	.24	.16
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polystyrene by the bulk polymerization process by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.08	0.04
COD	.37	.19
TSS	.04	.028
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb. of product)	
BOD5	0.08	0.04
COD	.37	.19
TSS	.04	.028
pH	Within the range 6.0 to 9.0.	

§ 416.36 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the polystyrene subcategory which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.35: Provided, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart D—Polypropylene Subcategory

§ 416.40 Applicability; description of the polypropylene subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization reaction of propylene and associated processing to manufacture polypropylene.

§ 416.41 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 416.42 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.81	0.42
COD	4.1	2.1
TSS	2.1	1.16
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.81	0.42
COD	4.1	2.1
TSS	2.1	1.16
pH	Within the range 6.0 to 9.0.	

§ 416.43 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.48	0.32
COD	3.21	2.14
TSS	.27	.23
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.48	0.32
COD	3.21	2.14
TSS	.27	.23
pH	Within the range 6.0 to 9.0.	

§ 416.44 [Reserved]

§ 416.45 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.43	0.22
COD	2.9	1.47
TSS	.24	.16
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.43	0.22
COD	2.9	1.47
TSS	.24	.16
pH	Within the range 6.0 to 9.0.	

§ 416.46 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the polypropylene subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.45: Provided, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart E—Polyethylene Subcategory

§ 416.50 Applicability; description of the polyethylene subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization reaction of ethylene and associated processing to manufacture low density polyethylene and the polymerization reaction of ethylene by the solvent process or by the polyform process to manufacture high density polyethylene.

§ 416.51 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

§ 416.52 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of low density polyethylene by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.39	0.20
COD	3.9	2.0
TSS	1.0	.55
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.39	0.20
COD	3.9	2.0
TSS	1.0	.55
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of high density polyethylene by the solvent process by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.58	0.30
COD	5.8	3.0
Total chromium	.0062	.0031
TSS	1.5	.83
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.58	0.30
COD	5.8	3.0
Total chromium	.0062	.0031
TSS	1.5	.83
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of high density polyethylene by the polyform process by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.10	0.052
COD	1.0	.52
TSS	.25	.14
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.10	0.052
COD	1.0	.52
TSS	.25	.14
pH	Within the range 6.0 to 9.0.	

§ 416.53 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of low density polyethylene by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.29	0.19
COD	2.48	1.65
TSS	.16	.14
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.29	0.19
COD	2.48	1.65
TSS	.16	.14
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of high density polyethylene by the solvent process by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.45	0.30
COD	2.40	1.60
Total chromium	.0062	.0031
TSS	.25	.21
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.45	0.30
COD	2.40	1.60
Total chromium	.0062	.0031
TSS	.25	.21
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of high density polyethylene by the polyform process by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.078	0.052
COD	.42	.28
TSS	.043	.037
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.078	0.052
COD	.42	.28
TSS	.43	0.37
H	Within the range 6.0 to 9.0.	

§ 416.54 [Reserved]

§ 416.55 Standards of performance for new sources.

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of low density polyethylene by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.35	0.18
COD	3.5	1.80
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.35	0.18
COD	3.5	1.80
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of high density polyethylene by the solvent process by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.58	0.3
COD	3.1	1.6
Total chromium	.0062	.0031
TSS	.31	.21
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.58	0.3
COD	3.1	1.6
Total chromium	.0062	.0031
TSS	.31	.21
pH	Within the range 6.0 to 9.0.	

(c) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of high density polyethylene by the polyform process by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.10	0.054
COD	.54	.28
TSS	.05	.036
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.10	0.054
COD	.54	.28
TSS	.05	.036
pH	Within the range 6.0 to 9.0.	

§ 416.56 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the polyethylene subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.55: Provided, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart F—Cellophane Subcategory

§ 416.60 Applicability; description of the cellophane subcategory.

The provisions of this subpart are applicable to discharges resulting from the processing of wood pulp to manufacture cellophane and associated processing.

§ 416.61 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 416.62 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best

practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	17.8	8.7
COD	178.0	87.0
TSS	29.1	16.0
pH	Within the range 6.0 to 9.9.	
	English units (pounds per 1,000 lb of product)	
BOD5	17.8	8.7
COD	178.0	87.0
TSS	29.1	16.0
pH	Within the range 6.0 to 9.0.	

§ 416.63 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	6.75	4.5
COD	58.5	39.0
TSS	3.75	3.19
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	6.75	4.50
COD	58.5	39.0
TSS	3.75	3.19
pH	Within the range 6.0 to 9.0.	

§ 416.64 [Reserved]

§ 416.65 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	6.2	3.2
COD	83.0	42.7
TSS	3.3	2.27
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	6.2	3.2
COD	83.0	42.7
TSS	3.3	2.27
pH	Within the range 6.0 to 9.0.	

§ 416.66 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the cellophane subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.65: Provided, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart G—Rayon Subcategory

§ 416.70 Applicability; description of the rayon subcategory.

The provisions of this subpart are applicable to discharges resulting from the processing of wood pulp to manufacture rayon and associated processing.

§ 416.71 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

§ 416.72 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	10	4.8
COD	150	72
Zinc	.91	.534
TSS	16	8.8
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	10	4.8
COD	150	72
Zinc	.91	.534
TSS	16	8.8
pH	Within the range 6.0 to 9.0.	

§ 416.73 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	3.75	2.50
COD	32.3	21.7
Zinc	.210	.105
TSS	2.08	1.77
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	3.75	2.50
COD	32.3	21.7
Zinc	.210	.105
TSS	2.08	1.77
pH	Within the range 6.0 to 9.0.	

§ 416.74 [Reserved]

§ 416.75 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of

pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	3.5	1.8
COD	81	42.0
Zinc	.15	.075
TSS	1.9	1.28
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	3.5	1.8
COD	81	42.0
Zinc	.15	.075
TSS	1.9	1.28
pH	Within the range 6.0 to 9.0.	

§ 416.76 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the rayon subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.75: Provided, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart H—Acrylonitrile-Butadiene-Styrene (ABS) and Styrene-Acrylonitrile (SAN) Resin Copolymers

§ 416.80 Applicability; description of the acrylonitrile-butadiene-styrene (ABS) and styrene-acrylonitrile (SAN) resin copolymers subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization reactions of acrylonitrile, butadiene, and styrene and associated processing to make ABS and SAN resins.

§ 416.81 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

(b) ABS/SAN shall mean acrylonitrile-butadiene-styrene and styrene-acrylonitrile resin copolymers.

§ 416.82 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	1.3	0.63
COD	13	6.3
TSS	2.1	1.16
Total chromium	.0088	.0044
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.3	0.63
COD	13	6.3
TSS	2.1	1.16
Total chromium	.0088	.0044
pH	Within the range 6.0 to 9.0.	

§ 416.83 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.60	0.40
COD	4.35	2.9
TSS	.33	.28
Total chromium	.0084	.0042
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.60	0.40
COD	4.35	2.90
TSS	.33	.28
Total chromium	.0084	.0042
pH	Within the range 6.0 to 9.0.	

§ 416.84 [Reserved]

§ 416.85 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.74	0.38
COD	5.4	2.79
TSS	.40	.27
Total chromium	.0080	.0040
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.74	0.38
COD	5.4	2.79
TSS	.40	.27
Total chromium	.0080	.0040
pH	Within the range 6.0 to 9.0.	

§ 416.86 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the acrylonitrile-butadiene-styrene and styrene-acrylonitrile resin copolymers subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the pur-

pose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.85: Provided, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart I—Polyester Subcategory

§ 416.90 Applicability; description of the polyester subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization reaction of dihydric alcohol and terephthalic acid or dimethyl terephlholate and associated processing to manufacture polyester resins and subsequent processing to manufacture polyester fibers.

§ 416.91 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

§ 416.92 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester resin by batch processing by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	1.4	0.78
COD	21.5	11.7
TSS	.95	.52
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.4	0.78
COD	21.5	11.7
TSS	.95	.52
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester fiber by batch processing by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	1.4	0.78
COD	21.5	11.7
TSS	.95	.52
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.4	0.78
COD	21.5	11.7
TSS	.95	.52
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester resin and fiber by continuous processing by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of fiber)	
BOD5	1.4	0.78
COD	21.5	11.7
TSS	.95	.52
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.4	0.78
COD	21.5	11.7
TSS	.95	.52
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester resin and fiber by batch processing by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of fiber)	
BOD5	2.8	1.56
COD	43.0	23.4
TSS	1.9	1.04
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	2.8	1.56
COD	43.0	23.4
TSS	1.9	1.04
pH	Within the range 6.0 to 9.0.	

§ 416.93 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester resin by batch processing by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.48	0.32
COD	2.46	1.64
TSS	.16	.13
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.48	0.32
COD	2.46	1.64
TSS	.16	.13
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester fiber by batch processing by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.48	0.32
COD	2.46	1.64
TSS	.16	.13
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.48	0.32
COD	2.46	1.64
TSS	.16	.13
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester resin and fiber by continuous processing by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of fiber)	
BOD5	0.95	0.63
COD	4.95	3.30
TSS	.32	.27
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of fiber)	
BOD5	0.95	0.63
COD	4.95	3.30
TSS	.32	.27
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester resin and fiber by batch processing by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of fiber)	
BOD5	0.38	0.25
COD	1.95	1.30
TSS	.13	.11
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.38	0.25
COD	1.95	1.30
TSS	.13	.11
pH	Within the range 6.0 to 9.0.	

§ 416.94 [Reserved]

§ 416.95 Standards of performance for new sources.

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester resin by batch processing by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.62	0.32
COD	5.7	2.92
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.62	0.32
COD	5.7	2.92
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester fiber by batch processing by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.62	0.32
COD	5.7	2.92
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.62	0.32
COD	5.7	2.92
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	

(c) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester resin and fiber by continuous processing by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of fiber)	
BOD5	0.35	0.18
COD	3.2	1.67
TSS	.12	.078
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of fiber)	
BOD5	0.35	0.18
COD	3.2	1.67
TSS	.12	.078
pH	Within the range 6.0 to 9.0.	

(d) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacturing of polyester resin and fiber by batch processing by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of fiber)	
BOD5	1.2	0.63
COD	11.3	5.84
TSS	.4	.27
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of fiber)	
BOD5	1.2	0.63
COD	11.3	5.84
TSS	.4	.27
pH	Within the range 6.0 to 9.0.	

§ 416.96 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the polyester subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.95: Provided, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percent-

age of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart J—Nylon 66 Subcategory

§ 416.100 Applicability; description of the nylon 66 subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization reaction of hexamethylene diamine and adipic acid and associated processing to manufacture nylon 66 resin and/or fiber.

§ 416.101 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

§ 416.102 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 66 resin by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	1.2	0.66
COD	6.0	3.3
TSS	.80	.44
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.2	0.66
COD	6.0	3.3
TSS	.80	.44
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 66 fiber by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	1.1	0.58
COD	5.3	3.0
TSS	.70	.39
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.1	0.58
COD	5.3	3.0
TSS	.70	.39
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 66 resin and fiber by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of fiber)	
BOD5	2.3	1.24
COD	11.3	6.2
TSS	1.5	.83
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of fiber)	
BOD5	2.3	1.24
COD	11.3	6.2
TSS	1.5	.83
pH	Within the range 6.0 to 9.0.	

§ 416.103 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 66 resin by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.40	0.27
COD	2.09	1.39
TSS	.13	.11
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.40	0.27
COD	2.09	1.39
TSS	.13	.11
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 66 fiber by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.35	0.23
COD	1.82	1.21
TSS	.12	.10
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.35	0.23
COD	1.82	1.21
TSS	.12	.10
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 66 resin and fiber by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of fiber)	
BOD5	0.75	0.50
COD	3.90	2.60
TSS	.25	.21
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of fiber)	
BOD5	0.75	0.50
COD	3.90	2.60
TSS	.25	.21
pH	Within the range 6.0 to 9.0.	

§ 416.104 [Reserved]

§ 416.105 Standards of performance for new sources.

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 66 resin by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.53	0.27
COD	3.7	1.92
TSS	.16	.11
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.53	0.27
COD	3.7	1.92
TSS	.16	.11
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nlyon 66 fiber by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.45	0.23
COD	3.3	1.68
TSS	.15	.10
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.45	0.23
COD	3.3	1.68
TSS	.15	.10
pH	Within the range 6.0 to 9.0.	

(c) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of nylon 66 resin and fiber by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of fiber)	
BOD5	0.98	0.50
COD	7.0	3.60
TSS	.31	.21
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of fiber)	
BOD5	0.98	0.50
COD	7.0	3.60
TSS	.31	.21
pH	Within the range 6.0 to 9.0.	

§ 416.106 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the nylon 66 subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.-133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.105: Provided, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart K—Nylon 6 Subcategory

§ 416.110 Applicability; description of the nylon 6 subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization reaction of caprolactam and associated processing to manufacture nylon 6 resin and/or fiber.

§ 416.111 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 416.112 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 6 resin by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	6.8	3.71
COD	68.0	37.1
TSS	4.5	2.48
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	6.8	3.71
COD	68.0	37.1
TSS	4.5	2.48
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 6 fiber by a point source subject to the provisions of this subpart after application of the

best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	3.5	1.90
COD	35	19
TSS	2.3	1.27
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	3.5	1.90
COD	35	19
TSS	2.3	1.27
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 6 resin and fiber by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of fiber)	
BOD5	10.3	5.61
COD	103.0	56.1
TSS	6.8	3.75
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of fiber)	
BOD5	10.3	5.61
COD	103.0	56.1
TSS	6.8	3.75
pH	Within the range 6.0 to 9.0.	

§ 416.113 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 6 resin by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	1.95	1.30
COD	10.2	6.77
TSS	.65	.55
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.95	1.30
COD	10.2	6.77
TSS	.65	.55
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 6 fiber by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	1.00	0.67
COD	5.21	3.44
TSS	.33	.28
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.00	0.67
COD	5.21	3.44
TSS	.33	.28
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of nylon 6 resin and fiber by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of fiber)	
BOD5	2.95	1.97
COD	15.3	10.2
TSS	.98	.84
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of fiber)	
BOD5	2.95	1.97
COD	15.3	10.2
TSS	.98	.84
pH	Within the range 6.0 to 9.0.	

§ 416.114 [Reserved]

§ 416.115 Standards of performance for new sources.

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 6 resin by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed
	Metric units (kilograms per 1,000 kg of product)	
BOD5	2.1	1.10
COD	22	11.4
TSS	.69	.47
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	2.1	1.10
COD	22	11.4
TSS	.69	.47
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 6 fiber by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	1.1	0.57
COD	11	5.90
TSS	.35	.24
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.1	0.57
COD	11	5.90
TSS	.35	.24
pH	Within the range 6.0 to 9.0.	

(c) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, which controlled by this paragraph, which may be discharged from the manufacture of nylon 6 resin and fiber by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	3.2	1.67
COD	33.0	17.4
TSS	1.1	.71
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	3.2	1.67
COD	33.0	17.4
TSS	1.1	.71
pH	Within the range 6.0 to 9.0.	

§ 416.116 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the nylon 6 subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.115: *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart L—Cellulose Acetate Subcategory

§ 416.120 Applicability; description of the cellulose acetate subcategory.

The provisions of this subpart are applicable to discharges resulting from the processing of wood pulp with acetic acid and acetic anhydride and associated processing to manufacture cellulose acetate fibers and/or resins.

§ 416.121 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

§ 416.122 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cellulose acetate resin by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	7.5	4.13
COD	75.0	41.3
TSS	5.0	2.75
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	7.5	4.13
COD	75.0	41.3
TSS	5.0	2.75
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cellulose acetate fiber by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	7.5	4.13
COD	75.0	41.3
TSS	5.0	2.75
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	7.5	4.13
COD	75.0	41.3
TSS	5.0	2.75
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cellulose acetate resin and fiber by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	15	8.26
COD	150	82.6
TSS	10	5.50
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	15	8.26
COD	150	82.6
TSS	10	5.50
pH	Within the range 6.0 to 9.0.	

§ 416.123 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cellulose acetate resin by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	1.88	1.25
COD	9.75	6.5
TSS	.63	.53
pH	Within the range 6.0 to 9.0.	
	Englisn units (pounds per 1,000 lb of product)	
BOD5	1.88	1.25
COD	9.75	6.5
TSS	.63	.53
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cellulose acetate fiber by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of products)	
BOD5	1.88	1.25
COD	9.75	6.5
TSS	.63	.53
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.88	1.25
COD	9.75	6.5
TSS	.63	.53
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cellulose acetate resin and fiber by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	3.75	2.50
COD	19.5	13.0
TSS	1.26	1.06
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	3.75	2.50
COD	19.5	13.0
TSS	1.26	1.06
pH	Within the range 6.0 to 9.0.	

§ 416.124 [Reserved]

§ 416.125 Standards of performance for new sources.

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cellulose acetate resin by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	1.6	0.83
COD	15.5	8.0
TSS	.51	.35
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.6	0.83
COD	15.5	8.0
TSS	.51	.35
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cellulose acetate fiber by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	1.6	0.83
COD	15.5	8.0
TSS	.51	.35
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.25	0.83
COD	15.5	8.0
TSS	.51	.35
pH	Within the range 6.0 to 9.0.	

(c) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cellulose acetate resin and fiber by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of fiber)	
BOD5	3.2	1.67
COD	21	16
TSS	1.1	.71
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of fiber)	
BOD5	3.2	1.67
COD	21	16
TSS	1.1	.71
pH	Within the range 6.0 to 9.0.	

§ 416.126 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the cellulose acetate subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.125: Provided That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment work shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart M—Acrylics Subcategory

§ 416.130 Applicability; description of the acrylics subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization reaction of acrylonitrile and associated processing and the copolymerization reaction of acrylonitrile and vinylidene chloride and/or vinyl chloride to manufacture acrylic resins and fibers.

§ 416.131 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 416.132 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	5	2.75
COD	25	13.8
TSS	2	1.1
Phenolic compounds	.017	.0083
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	5	2.75
COD	25	13.8
TSS	2	1.1
Phenolic compounds	.017	.0083
pH	Within the range 6.0 to 9.0.	

§ 416.133 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.98	0.65
COD	5.07	3.38
TSS	.33	.27
Phenolic compounds	.0032	.0016
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.98	0.65
COD	5.07	3.38
TSS	.33	.27
Phenolic compounds	.0032	.0016
pH	Within the range 6.0 to 9.0.	

§ 416.134 [Reserved]

§ 416.135 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	1.2	0.63
COD	24	12.2
TSS	.4	.27
Phenolic compounds	.0032	.0016
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.2	0.63
COD	24	12.2
TSS	.4	.27
Phenolic compounds	.0032	.0016
pH	Within the range 6.0 to 9.0.	

§ 416.136 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the acrylics subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.135: Provided, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

[FR Doc.74-7512 Filed 4-4-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 416]

PLASTICS AND SYNTHETICS POINT SOURCE CATEGORY

Application of Effluent Limitations Guidelines For Existing Sources To Pretreatment Standards For Incompatible Pollutants

Notice is hereby given pursuant to sections 301, 304 and 307(b) of the Federal Water Pollution Control Act, as amended (the Act) 33 U.S.C. 1251, 1311, 1314 and 1317(b); 86 Stat. 816 et seq.; Pub. L. 92–500, that the proposed regulation set forth below concerns the application of effluent limitations guidelines for existing sources to pretreatment standards for incompatible pollutants. The proposal will amend 40 CFR Part 416—Plastics and Synthetics Manufacturing Point Source Category, establishing for each subcategory therein the extent of application of effluent limitations guidelines to existing sources which discharge to publicly owned treatment works. The regulation is intended to be complementary to the general regulation for pretreatment standards set forth at 40 CFR 128. The general regulation was proposed July 19, 1973 (38 FR 19236), and published in final form on November 8, 1973 (38 FR 30982).

The proposed regulation is also intended to supplement a final regulation being simultaneously promulgated by the Environmental Protection Agency (EPA or Agency) which provides effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources within the polyvinyl chloride subcategory, polyvinyl acetate subcategory, polystyrene subcategory, polypropylene subcategory, polyethylene subcategory, cellophane subcategory, rayon subcategory, acrylonitrile-butadiene-styrene (ABS) and styrene-acrylonitrile (SAN) resin copolymers subcategory, polyester subcategory, nylon 66 subcategory, nylon 6 subcategory, cellulose acetate subcategory and acrylics subcategory of the plastics and synthetics point source category. The latter regulation applies to the portion of a discharge which is directed to the navigable waters. The regulation proposed below applies to users of publicly owned treatment works which fall within the description of the point source category to which the guidelines and standards (40 CFR 416) promulgated simultaneously apply. However, the proposed regulation applies to the introduction of incompatible pollutants which are directed into a publicly owned treatment works, rather than to discharges of pollutants to navigable waters.

The general pretreatment standard divides pollutants discharged by users of publicly owned treatment works into two broad categories: "compatible" and "incompatible." Compatible pollutants are generally not subject to pretreatment standards. (See 40 CFR 128.110 (State or local law) and 40 CFR 128.131 (Prohibited wastes) for requirements which may be applicable to compatible pollutants). Incompatible pollutants are subject to pretreatment standards as provided in 40 CFR 128.133, which provides as follows:

> In addition to the prohibitions set forth in section 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works by a major contributing industry not subject to section 307(c) of the Act shall be, for sources within the corresponding industrial or commercial category, that established by a promulgated effluent limitations guidelines defining best practicable control technology currently available pursuant to sections 301(b) and 304(b) of the Act; provided that, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall be correspondingly reduced for that pollutant; and provided further that when the effluent limitations guidelines for each industry is promulgated, a separate provision will be proposed concerning the application of such guidelines to pretreatment.

The regulation proposed below is intended to implement that portion of § 128.133, above, requiring that a separate provision be made stating the application to pretreatment standards of effluent limitations guidelines based upon best practicable control technology currently available.

Questions were raised during the public comment period on the proposed general pretreatment standard (40 CFR 128) about the propriety of applying a standard based upon best practicable control technology currently available to all plants subject to pretreatment standards. In general, EPA believes the analysis supporting the effluent limitations guidelines is adequate to make a determination regarding the application of those standards to users of publicly owned treatment works. However, to ensure that those standards are appropriate in all cases, EPA now seeks additional comments focusing upon the application of effluent limitations guidelines to users of publicly owned treatment works.

Sections 416.15, 416.25, 416.35, 416.45, 416.55, 416.65, 416.75, 416.85, 416.95, 416.105, 416.115, 416.125 and 416.135 of the proposed regulations for point sources within the polyvinyl chloride subcategory, polyvinyl acetate subcategory, polystyrene subcategory, polypropylene subcategory, polyethylene subcategory, cellophane subcategory, rayon subcategory, acrylonitrile-butadine-styrene (ABS) and styrene-acrylonitrile (SAN) resin copolymers subcategory, polyester subcategory, nylon 66 subcategory, nylon 6 subcategory, cellulose acetate subcategory and acrylics subcategory (October 11, 1973; 38 FR 28194) contained the proposed pretreatment standard for new sources. The regulation promulgated simultaneously herewith contains §§ 416.16, 416.26, 416.36, 416.46, 416.56, 416.66, 416.76, 416.86, 416.9, 416.106, 416.116, 416.126 and 416.136 which state the applicability of standards of performance for purposes of pretreatment standard for new sources.

A preliminary development document was made available to the public at approximately the time of publication of the notice of proposed rulemaking and the final development document entitled "Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Synthetic Resins Segment of the Plastics and Synthetics Point Source Category" is now being published. The economic analysis report entitled "Economic Analysis of Proposed Effluent Guidelines, Plastics and Synthetics Industry" (September 1973) was made available at the time of proposal. Copies of the final Development Document and economic analysis report will continue to be maintained for inspection and copying during the comment period at the EPA Information Center, Room 227, West Tower, Waterside Mall, 401 M Street, SW, Washington, D.C. Copies will also be available for inspection at EPA regional offices and at State water pollution control agency offices. Copies of the Development Document may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Copies of the economic analysis report will be available for purchase through the National Technical Information Service, Springfield, Virginia 22151.

On June 14, 1973, the Agency published procedures designed to insure that, when certain major standards, regulations, and guidelines are proposed, an explanation of their basis, purpose and environmental effects is made available to the public. (38 FR 15653) The procedures are applicable to major standards, regulations and guidelines which are proposed on or after December 31, 1973, and which either prescribe national standards of environmental quality or require national emission, effluent or performance standards or limitations.

The Agency determined to implement these procedures in order to insure that the public was provided with background information to assist it in commenting on the merits of a proposed action. In brief, the procedures call for the Agency to make public the information available to it delineating the major environmental effects of a proposed action, to discuss the pertinent nonenvironmental factors affecting the decision, and to explain the viable options available to it and the reasons for the option selected.

The procedures contemplate publication of this information in the FEDERAL REGISTER, where this is practicable. They provide, however, that where such publication is impracticable because of the length of these materials, the material may be made available in an alternate format.

The development document referred to above contains information available to the Agency concerning the major environmental effects of the regulation proposed below. The information includes: (1) The identification of pollutants present in waste waters resulting from the manufacture of plastics and synthetics,

the characteristics of these pollutants, and the degree of pollutant reduction obtainable through implementation of the proposed standard; and (2) the anticipated effects on other aspects of the environment (including air, subsurface waters, solid waste disposal and land use, and noise) of the treatment technologies available to meet the standard proposed.

The development document and the economic analysis report referred to above also contain information available to the Agency regarding the estimated cost and energy consumption implications of those treatment technologies and the potential effects of those costs on the price and production of plastics and synthetics. The two reports exceed, in the aggregate, 100 pages in length and contain a substantial number of charts, diagrams and tables. It is clearly impracticable to publish the material contained in these documents in the FEDERAL REGISTER. To the extent possible, significant aspects of the material have been presented in summary form in the preamble to the proposed regulation containing effluent limitations guidelines, new source performance standards and pretreatment standards for new sources within the plastics and synthetics category (38 FR 28194; October 11, 1973). Additional discussion is contained in the analysis of public comments on the proposed regulation and the Agency's response to those comments. This discussion appears in the preamble to the promulgated regulation (40 CFR Part 416) which currently is being published in the Rules and Regulations section of the FEDERAL REGISTER.

The options available to the Agency in establishing the level of pollutant reduction obtainable through the best practicable control technology currently available, and the reasons for the particular level of reduction selected are discussed in the documents described above. In applying the effluent limitations guidelines to pretreatment standards for the introduction of incompatible pollutants into municipal systems by existing sources in the polyvinyl chloride subcategory, polyvinyl acetate subcategory, polystyrene subcategory, polypropylene subcategory, polyethylene subcategory, cellophane subcategory, rayon subcategory, acrylonitrile-butadiene-styrene (ABS) and styrene-acrylonitrile (SAN) resin copolymers subcategory, polyester subcategory, nylon 66 subcategory, nylon 6 subcategory, cellulose acetate subcategory, and acrylics subcategory, the Agency has, essentially, three options. The first is to declare that the guidelines do not apply. The second is to apply the guidelines unchanged. The third is to modify the guidelines to reflect: (1) Differences between direct dischargers and plants utilizing municipal systems which affect the practicability of the latter employing the technology available to achieve the effluent limitations guidelines; or (2) characteristics of the relevant pollutants which require higher levels of reduction (or permit less stringent levels) in order to insure that the pollutants do not interfere with the treatment works or pass through them untreated.

As described in the "Development Document", the process wastes from the polyvinyl chloride subcategory, polyvinyl alcohol subcategory, polystyrene subcategory, polypropylene subcategory, and polyethylene subcategory are low in BOD5 (less than 10 kg/kkg of product) and are treatable to low attainable concentration levels for BOD5, COD, and TSS using modes of treatment comparable to joint treatment works. Accordingly, they are considered compatible. The polystyrene subcategory (suspension process) and the polyethylene subcategory (high density solvent process) require pretreatment for the removal of total chromium. The cellophane subcategory and rayon subcategory have process wastes which are high in BOD5 (greater than 10 kg/kkg of product) due to their large process waste hydraulic load which are treatable to low attainable concentration levels for BOD5, COD, and TSS using modes of treatment comparable to joint treatment works. Therefore, they are considered compatible. The rayon subcategory requires pretreatment for the removal of zinc. The ABS/SAN subcategory, polyester subcategory, nylon 6 subcategory, nylon 66 subcategory, cellulose acetate subcategory and acrylics category have process wastes which are high in BOD5 (greater than 10 kg/kkg of product) which are treatable to various levels of BOD5, COD, and TSS using modes of treatment (multistage biological treatment) which are more sophisticated than those comparable to joint treatment works and are, therefore, considered incompatible with regard to the COD parameter. The ABS/SAN subcategory requires pretreatment for the removal of total chromium. The acrylics subcategory requires pretreatment for the removal of phenolic compounds.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the EPA Information Center, Environmental Protection Agency, Washington, D.C. 20460, Attention: Mr. Philip B. Wisman. Comments on all aspects of the proposed regulations are solicited. In the event comments are in the nature of criticisms as to the adequacy of data which is available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data is essential to the development of the regulations. In the event comments address the approach taken by the Agency in establishing pretreatment standards for existing sources, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of sections 301, 304 and 307(b) of the Act.

A copy of all public comments will be available for inspection and copying at the EPA Information Center, Room 227, West Tower, Waterside Mall, 401 M Street, SW., Washington, D.C. 20460. The EPA information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

In consideration of the foregoing, it is hereby proposed that 40 CFR Part 416 be amended to add §§ 416.14, 416.24, 416.34, 416.44, 416.54, 416.64, 416.74, 416.84, 416.94, 416.104, 416.114, 416.124, and 416.134 as set forth below. All comments received on or before May 2, 1974, will be considered.

Dated: March 26, 1974.

JOHN QUARLES,
Acting Administrator.

Part 416 is proposed to be amended as follows:

1. Subpart A is amended by adding § 416.14 as follows:

§ 416.14 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.12 above shall not apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works.

2. Subpart B is amended by adding § 416.24 as follows:

§ 416.24 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.22 above shall not apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works.

3. Subpart C is amended by adding § 416.34 as follows:

§ 416.34 Pretreatment standards for existing sources.

(a) For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.32(a) above shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

(b) For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.32(b) above shall not apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works.

4. Subpart D is amended by adding § 416.44 as follows:

§ 416.44 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.42 above shall not apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works.

5. Subpart E is amended by adding § 416.54 as follows:

§ 416.54 Pretreatment standards for existing sources.

(a) For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.52(a) above shall not apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works.

(b) For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.52(b) above shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

(c) For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.52(c) above shall not apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works.

6. Subpart F is amended by adding § 416.64 as follows:

§ 416.64 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.62 above shall not apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works.

7. Subpart G is amended by adding § 416.74 as follows:

§ 416.74 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.72 above shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

8. Subpart H is amended by adding § 416.84 as follows:

§ 416.84 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.82 above shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

9. Subpart I is amended by adding § 416.94 as follows:

§ 416.94 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.92 above shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

10. Subpart J is amended by adding § 416.104 as follows:

§ 416.104 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.102 above shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

11. Subpart K is amended by adding § 416.114 as follows:

§ 416.114 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.112 above shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

12. Subpart L is amended by adding § 416.124 as follows:

§ 416.124 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.122 above shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

13. Subpart M is amended by adding § 416.134 as follows:

§ 416.134 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.132 above shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

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